**REMARKS**

The foregoing amendments are identical to those filed January 26, 2007 in the response to final Office Action.

Upon entry of the foregoing amendments claims 1, 6-15, 18-20, and 27-33 are pending in the application. Claim 5 has been cancelled without prejudice or disclaimer to the subject matter contained therein.

Claim 1 has been amended to clarify the inventive subject matter. Basis for this amendment can be found on page 3, lines 28-32 of the application as originally filed. As such, the amendment does not add any new matter within the meaning of 35 U.S.C. §132. Therefore, entry of the amendment is respectfully requested.

Again, Applicants thank the Examiner for her indication that claims 15, 18, 19 and 32 are allowable.

**RESPONSE TO COMMENTS IN ADVISORY ACTION**

On the Continuation Sheet of the March 2, 2007 action, the Examiner states:

> Applicant's [sic] proposed amendment to the claims presents a new issue as to the intended components of the core of the core-shell particles. Applicant states that Mulvaney, et al. and Oldenburg, et al., when considered alone or in combination, fail to teach or suggest a coating with core-shell particles free of organic parts. However such a limitation is not even included in applicant's claims. Applicant further states that when considered alone or in combination, Mulvaney, et al. and Oldenburg, et al., fail to teach or suggest core-shell particles having a core consisting comprising [sic] nanoscale particles selected from the group consisting of aluminum oxide, zirconium oxide, titanium oxide, iron oxide, cerium, oxide, indium, tin oxide, silicon carbide, tungsten carbide and silicon nitride. This statement raises a new issue as to what components applicant intends the proposed amended claims to include.

Applicants respectfully present the following and ask the Examiner to reconsider and withdraw the outstanding rejection under 35 U.S.C. §103(a).

Contrary to the Examiner's assertion, the present amendment to claim 1 does not present a new issue at to the intended components of the core of the core-shell particle. **Prior to the amendment of January 26**, claim 1 was directed to, inter alia, an antimicrobial polymeric coating

composition comprising inorganic core-shell particles having a core, wherein the core comprised a nanoparticle selected from a group (of inorganic materials) consisting of aluminum oxide, zirconium oxide, titanium oxide, iron oxide, cerium oxide, indium-tin oxide, silicon carbide, tungsten carbide and silicon nitride. Each material identified in the Markush group is an inorganic core material.

**Upon entry of the instant amendments**, the claim reads identically, except that now the core consists of the previously recited inorganic materials. The subject matter of the two versions of claim 1 are both directed to the same subject matter inter alia a core made up of an inorganic material. Therefore, the amendment does not present a new issue.

Furthermore, the instant transitional phrase, the recitation of "inorganic core-shell particles" within the claim and the inclusion within the Markush group of only inorganic material make it clear that the Examiner's statement that the "such a limitation is not even included in applicant's claims" is inaccurate for the above stated reasons, as well.

However, for the sake of forwarding the progress of prosecution, Applicants have filed a Request for Continued Examination and submit that the cited references, Mulvaney, et al. and Oldenburg, et al., fail to teach each and every limitation of the instant claims. As such, a prima facie case of obviousness has not been established.

As submitted in the previous response, Mulvaney, et al. do not teach or suggest a coating with core-shell particles having a core consisting of nanoscale particles selected from the group consisting of aluminum oxide, zirconium oxide, titanium oxide, iron oxide, cerium oxide, indium-tin oxide, silicon carbide, tungsten carbide and silicon nitride.

The core shell particles taught by Mulvaney, et al. comprise a shell, or "coating layer," which may be selected from silica, an organic conducting polymer. Therefore, Mulvaney, et al. fail to teach inorganic core-shell particles.

Oldenburg, et al. fail to remedy the deficiencies of Mulvaney, et al., because Oldenburg, et al. do not teach or suggest a coating with core-shell particles free of organic parts. The conducting shell layer may comprise a metal selected from an organic conducting material. The core of Oldenburg, et al. may comprise a dielectric or semiconducting material, such as silicon dioxide. Therefore, Oldenburg, et al., fail to teach inorganic core-shell particles.

Thus, the references teach core-shell particles which are only partly inorganic, and therefore do not teach each and every limitation of the instant claims. Thus, a prima facie case of obviousness has not been established.

Accordingly, Applicants request that the Examiner reconsider and withdraw this rejection.

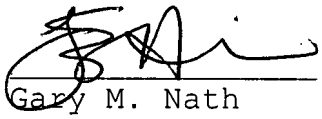
## CONCLUSION

In view of the foregoing, Applicants submit that the application is in condition for allowance. The Examiner is invited to contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,

**THE NATH LAW GROUP**



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